

104TH CONGRESS  
2D SESSION

# H. R. 3061

To resolve certain conveyances under the Alaska Native Claims Settlement Act related to Cape Fox Corporation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 1996

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To resolve certain conveyances under the Alaska Native Claims Settlement Act related to Cape Fox Corporation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEFINITION.**

4       For the purposes of this Act, the term “Cape Fox  
5       Corporation” means the Cape Fox Corporation, an Alaska  
6       Native village corporation organized pursuant to the Alas-  
7       ka Native Claims Settlement Act (43 U.S.C. 1601 and fol-  
8       lowing) by the native village of Kassan.

1 **SEC. 2. CONVEYANCE AND ELIGIBILITY OF CERTAIN LANDS**  
 2 **TO CAPE FOX CORPORATION.**

3 (a) LANDS WITHIN 6-MILE RADIUS OF KETCH-  
 4 IKAN.—The following described lands located near Ketch-  
 5 ikan, Alaska, shall be treated as lands selected under sec-  
 6 tion 16 of the Alaska Native Claims Settlement Act (43  
 7 U.S.C. 1615) by the Cape Fox Corporation, and the Sec-  
 8 retary of the Interior shall, within 90 days after the date  
 9 of the enactment of this Act and subject to valid existing  
 10 rights, transfer such lands under the terms and conditions  
 11 of the Alaska Native Claims Settlement Act, notwithstand-  
 12 ing section 22(l) of that Act (43 U.S.C. 1621(l)), to the  
 13 Cape Fox Corporation:

T. 74 S., R. 91 E. C.R.M.

Section 21 SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>.

Section 28 W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>.

14 (b) EXPANSION OF LAND SELECTION AREA.—In ad-  
 15 dition to lands made available for selection under the Alas-  
 16 ka Native Claims Settlement Act (43 U.S.C. 1601 et seq.),  
 17 the following described lands, other than any of such lands  
 18 conveyed to or selected by the State of Alaska under Pub-  
 19 lic Law 85-508 (commonly known as the “Alaska State-  
 20 hood Act”, approved July 7, 1958 (72 Stat. 339, 48  
 21 U.S.C. note prec. 21), shall be eligible for selection by the

1 Cape Fox Corporation for the 24-month period beginning  
 2 on the date of the enactment of this Act:

T. 73 S., R. 90 E. C.R.M.

Sections 13, 14, 23, 24, 25, 26, 27, 34, 35, 36.

T. 73 S., R. 91 E. C.R.M.

Sections 19, 20, 29, 30, 31, 32.

3 (c) DIRECTED CONVEYANCE OF A 1,040-ACRE PAR-  
 4 CEL.—The following described lands located near Ketch-  
 5 ikan, Alaska, other than any of such lands conveyed to  
 6 or selected by the State of Alaska under Public Law 85-  
 7 508 (commonly known as the “Alaska Statehood Act”, ap-  
 8 proved July 7, 1958 (72 Stat. 339, 48 U.S.C. note prec.  
 9 21), shall be treated as lands selected under section 16  
 10 of the Alaska Native Claims Settlement Act (43 U.S.C.  
 11 1615) by the Cape Fox Corporation, an Alaska Native vil-  
 12 lage corporation, and the Secretary of the Interior shall,  
 13 within 90 days after the date of the enactment of this Act  
 14 and subject to valid existing rights, transfer such lands  
 15 under the terms and conditions of the Alaska Native  
 16 Claims Settlement Act to the Cape Fox Corporation:

T. 73 S., R. 90 E. C.R.M.

Section 24 E<sup>1</sup>/<sub>2</sub>E<sup>1</sup>/<sub>2</sub>.

Section 25 NE<sup>1</sup>/<sub>4</sub>.

T. 73 S., R. 91 E. C.R.M.

Section 19 SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>.

Section 29 E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub>W<sup>1</sup>/<sub>2</sub>.

Section 30 N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>.

Section 32 E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>.

1   **SEC. 3. WAIVER OF CORE TOWNSHIP REQUIREMENT FOR**  
 2                           **CERTAIN NON-PRODUCTIVE LANDS.**

3           The Cape Fox Corporation shall not be required to  
 4 select up to 200 nonproductive acres of lands within the  
 5 township in which Cape Fox Corporation is located, not-  
 6 withstanding the provisions of section 16(b) of the Alaska  
 7 Native Claims Settlement Act (43 U.S.C. 1615(b)) relat-  
 8 ing to the selection of lands in the township or townships  
 9 in which all or part of a Native village is located.

10   **SEC. 4. CREDIT FOR RECONVEYANCE OF BEAVER FALLS**  
 11                           **HYDROPROJECT POWERHOUSE SITE.**

12           Within 24 months after the date of the enactment  
 13 of this Act, the Cape Fox Corporation may transfer all  
 14 or part of its right, title, and interest in and to the ap-  
 15 proximately 320-acre parcel that includes Beaver Falls  
 16 Hydroelectric power-house site to the United States. In  
 17 exchange for the transfer, the acreage entitlement of the  
 18 Cape Fox Corporation shall be credited in the amount of  
 19 the number of acres returned to the United States under  
 20 this section.

1 **SEC. 5. AVAILABILITY OF CERTAIN PARCELS FOR HOME-**  
2 **SITE PROGRAM.**

3 (a) IN GENERAL.—The lands described in subsection  
4 (b), other than any of such lands conveyed to or selected  
5 by the State of Alaska under Public Law 85-508 (com-  
6 monly known as the “Alaska Statehood Act”, approved  
7 July 7, 1958 (72 Stat. 339, 48 U.S.C. note prec. 21), shall  
8 be available to the Cape Fox Corporation for its homesite  
9 program under section 21(j) of the Alaska Native Claims  
10 Settlement Act (43 U.S.C. 1620(j)). The Secretary shall  
11 transfer to the Cape Fox Corporation such portions of the  
12 lands as the Cape Fox Corporation requires.

13 (b) LANDS DESCRIBED.—The lands described in this  
14 section are the following lands:

T. 77 S., R. 91 E. C.R.M.

Section 5 S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>.

Section 6 E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>.

Section 31 S<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>.

15 **SEC. 6. LIMITATION.**

16 (a) NO CHANGE IN AGGREGATE ENTITLEMENT.—  
17 Lands may not be transferred under this Act to the extent  
18 that the transfer of such lands would result in the Cape  
19 Fox Corporation acquiring a total amount of land under  
20 this Act and the Alaska Native Claims Settlement Act in  
21 excess of the amount of land to which the Cape Fox Cor-

1 poration is entitled pursuant to the Alaska Native Claims  
2 Settlement Act as modified by sections 2 and 4 of this  
3 Act.

4 (b) RELINQUISHMENT.—A relinquishment of lands  
5 by Cape Fox Corporation under this Act relinquishes the  
6 rights of Sealaska Corporation to the subsurface rights to  
7 such lands, and Sealaska Corporation is entitled to the  
8 subsurface rights in any lands subsequently selected by  
9 Cape Fox Corporation to the extent and in the same man-  
10 ner as provided in the Alaska Native Claims Settlement  
11 Act.

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